



Frequently Asked Questions: **City of Berwyn, Illinois** Automated Red Light Enforcement Program

What do I do if I receive a Notice of Violation?

How much is the fine?

The fine is \$100.00 for each violation.

How much time do I have to pay my Red Light Violation Notice?

You must pay the civil penalty on or before the due date on your Violation Notice. The due date for payment is located on the top and bottom right of your Notice of Violation.

What are my Options?

Two options are available to you:

Pay The Fine – Option 1

- **Pay Online:** Logon to www.RedLightViolations.com by entering the Violation Notice Number and License Plate Number noted on the top and bottom right of your Notice of Violation. There is a \$3.50 convenience fee for paying on-line, assessed at the time of payment.
- **Pay By Mail:** Mail your check or money order (payable to the City of Berwyn Photo Enforcement Program) in the return envelope provided. Be sure to include the payment stub from the bottom of the notice you received along with your payment. Please do not send cash.

The mailing address for payments is:

PHOTO ENFORCEMENT PROGRAM
DEPT. 921
CAROL STREAM, IL. 60132-0921

- **Pay By Credit Card:** Call **Toll Free 866-428-4938** between the hours of 9am – 4pm. We accept VISA and Mastercard and there is a \$3.50 convenience fee for the service. An on-screen transaction confirmation number will be provided as well as an email confirmation for your permanent records.
- In-Person Payments are not available.

Contest the Notice of Violation – Option 2

Please make sure that the basis for your contest is one of the following five options (these are also listed on the back of the notice of violation)

- a. Police officer already issued you a uniform traffic citation for the same violation (the citation issued by the police officer takes precedence over the Violation Notice).
- b. Vehicle or license plates were stolen and not recovered at the time of the violation.
- c. Vehicle was leased or rented to another party, and a written affidavit of the lessee of the vehicle and a lease agreement were submitted.
- d. Vehicle was an emergency vehicle or lawfully participating in a funeral procession.
- e. Respondent was not the registered owner or lessee of the cited vehicle at the time of the violation.

Contest By Mail:

- Fill in the **CONTEST BY MAIL** circle on the notice stub and on the self-addressed return envelope.
- Enclose a letter signed by the registered owner of the vehicle setting forth facts that establish a defense.
- Enclose any supporting evidence, such as affidavits, photos, state vehicle registration, official police vehicle theft/or recovery reports with the Violation Notice Number indicated.
- Be certain these documents are legible and complete.
- Send copies, original documents will not be returned.
- Enclose all evidence to support your defense as the hearing officer's decision is final.
- All Contest By Mail materials must be submitted using the enclosed return envelope and must be received by the Pay or Contest By Date.

Requests to Contest Received **AFTER** the Pay or Contest By Date:

- If the Registered Owner is a resident of the municipality in which the violation occurred, the person must visit the City Hall and complete a written petition form.
- If the Registered Owner is NOT a resident of the municipality in which the violation occurred, the registered owner (no one else) must send a document to the City Hall and (1) explain why a reply was not sent prior to the Pay or Contest By Date and (2) state why the request to contest should be heard.

Documents should be sent to:

The City of Berwyn City Hall
6700 W. 26th Street, Berwyn, IL. 60402-0701

Request An In-Person Hearing:

- Fill in the **IN PERSON HEARING** circle on the return stub and on the return envelope. Mail the stub in the return envelope.
- Requests will only be honored if received by the Pay or Contest By Date (within the first 21 days of the initial violation notice).
- If you do not receive a Notice of your hearing date and time within 10 days, please call **Toll Free 866-428-4938**
- Hearings are held the first Thursday of the Month at 3pm at the Berwyn Police Department: 6401 W. 31st Street

Can a Hearing Date be Re-Scheduled? Yes- a Hearing Date can be re-scheduled once.

Why has the City of Berwyn decided to implement an Automated Red Light Photo Enforcement Program?

According to the Insurance Institute for Highway Safety, nearly 2 million crashes occur each year at intersections. In 2005, red light running resulted in 800 fatalities and over 165,000 injuries. It is the City of Berwyn's belief that implementation of an Automated Red Light Photo Enforcement Program will reduce the number of red light collisions and injuries associated with such crashes. The goal of this program is to increase traffic safety in the City of Berwyn by reducing red light running violations, red light crashes and red light injury crashes without impacting city funds.

What is a Red Light Violation?

There are Two Types of Red Light Violations:

- **Right Turn on Red without coming to a complete stop.**

You may be cited with a Red Light Violation if you fail to bring your vehicle to a complete stop before turning right when the light is red. Turning right on red, after bringing your vehicle to a complete stop, is only allowed at intersections that do not have signs prohibiting such turns. For exact wording, please check Illinois' Rules of the Road, or visit the Secretary of State's website, www.cyberdriveillinois.com

- **Entering an intersection after the traffic signal has turned red.**

Motorists already in the intersection when the signal changes to red, when waiting to turn for example, are not considered red light violators.

Where are the automated red light cameras located?

Cameras are now, or will soon be, installed at the following intersection based on crash and violation statistics compiled by the Berwyn Police Department. Each intersection will be clearly marked with signs.

The intersection within the City of Berwyn to be equipped with a red light camera system is located at:

26th Street & East Avenue (*Eastbound*) *Active Nov. 9, 2007*
Ogden Avenue (34) & Harlem Avenue (43) (*Westbound*) *Future Site*
Cermak (22nd) & Ridgeland Avenue (*Eastbound*) *Active Nov. 9, 2007*
Cermak (22nd) & Harlem Avenue (43) (*Westbound*) *Future Site*



Why did I receive this Violation Notice?

The City of Berwyn passed Ordinance Number 07-04 which states that any individual who runs a red light or fails to come to a complete stop before turning right on red when permitted will receive a violation. Based upon images captured by the automated system, your vehicle was determined to have committed a red light violation. As the registered owner of the vehicle, the Violation Notice was mailed to you.

City of Berwyn Initiation Date: **Warning Period: November 9, 2007**
 Violations Begin: December 9, 2007

To review a copy of the Ordinance, please visit the:

City of Berwyn City Hall
6700 W. 26th Street, Berwyn, IL. 60402.

If I am in the intersection when the light is yellow and the light changes to red, will I receive a Notice of Violation?

No. The automated system only becomes active once the red light is showing. It will not capture a vehicle that enters the intersection prior to the light changing to red. If you entered the intersection on yellow, it is legal to clear the intersection if the light turned red while you were still in the intersection. In the violation notice, the first photo shows your car at the white line when the stoplight was red. In the second photo the stoplight was still red when the car proceeded into the intersection.

Will the red light cameras take a picture of the driver of the vehicle?

No. A violation of the City of Berwyn Ordinance is a civil violation assessed against the owner of the vehicle; it is not a criminal violation. Similar to a parking ticket, there is no need to identify the driver and therefore, no need to capture the image of the driver. This violation will not affect your driving privileges or insurance rates.

Where can I go to view my video and images?

To view your violation video clip and images, log on to www.redlightviolations.com. To log on to the site you must enter your 16 digit Notice Number and License Plate information located at the top right of your Violation Notice. If you do not have Internet access, you may visit any public library for Internet access to view your video.

What if I was not the operator of the car at the time the violation took place...am I still liable?

Under Illinois State Law, HB 4835 effective May, 2006, the registered owner of a vehicle is liable for any automated traffic law violations that occur to the vehicle. It does not matter who was driving the car, the law clearly states that the registered owner is liable.

The car was a rental, why did I receive the Violation Notice?

Under the law, the person(s) designated on the rental or lease agreement of a vehicle as the driver(s) of that vehicle is responsible for any assigned violations during the rental period. Your name and address were provided to us by the rental car agency.

What happens if I ignore the Violation Notice?

Failure to pay the civil penalty or to contest liability prior to the Pay or Contest Date on the Notice will result in a Determination of Liability being entered against you. You will be given another 14 days to pay, at which time, if payment has still not been received, a Final Determination of Liability will be issued. If the Final Determination of Liability is not paid within **14 days**, a late payment fee will be imposed and the fine increased to **\$100.00**. If this Second Notice remains unpaid, collections and an entry of a judgment against you may proceed

My payment has already been sent; will I still be charged late fees?

Payment must be received on or before the Pay or Contest By Date indicated on the violation notice. Postmarked dates are not considered as payment received, and payment extensions are not granted.

What if my Check Bounces?

You will be responsible for a returned check fee of **\$25.00**, plus any late fees and the original fine amount. You will receive an Insufficient Funds Default Notice from the City of Berwyn detailing the new amount due.

Can I make payments in installments or set up a payment plan?

No. Partial payments cannot be accepted and payment plans are not available.

I paid the violation; why did I receive another Violation Notice?

The Notice you just received could be for additional violations or it may just be a second notice which crossed your payment in the mail. Payments are posted the same day they are received, but you may call [866-428-4938](tel:866-428-4938) to confirm receipt.

If I pay the fine, can I then contest it or ask for a hearing?

No. Once you have paid a fine it is considered an admission of liability and requests to contest or schedule a hearing will not be granted.

How do I know these violations are valid?

Images of our vehicle were captured and recorded by an Automated Red Light Photo Enforcement System. Your images and an actual video of the occurrence are available online for your review at www.redlightviolations.com. The images and video passed a two part review process by qualified technicians before being submitted to the City of Berwyn Police Department for final review and approval. The alleged civil infraction notice was then mailed to you as the registered owner or identified driver. Confirmation of your name, address and vehicle registration information was provided to the City of Berwyn by the Illinois Secretary of State's Office. You have the option of contesting the Violation Notice either by Mail or by requesting an In-Person Hearing.